

Case Name: *State Farm Mut. Auto. Ins. Co., et al. v. Metro Pain Specialists, P.C., et al.* Case No: 21-cv-05523 (MKB) (PK)

REVISED PROPOSED DISCOVERY PLAN/SCHEDULING ORDER

	DONE	NOT APPLICABLE	DATE
A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE			
1. Rule 26(f) Conference held			9/19/2023
2. Rule 26(a)(1) disclosures exchanged			10/13/2023
3. Requested:			
a. Medical records authorization		N/A	
b. Section 160.50 releases for arrest records		N/A	
c. Identification of John Doe/Jane Doe defendants		N/A	
4. Procedures for producing Electronically Stored Information (ESI) discussed		N/A	
5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website)		N/A	
B. SETTLEMENT PLAN			
1. Plaintiff to make settlement demand		N/A	
2. Defendant to make settlement offer		N/A	
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)		N/A	
4. Settlement Conference (proposed date)			
C. PROPOSED DEADLINES			
1. Motion to join new parties or amend pleadings		N/A	
2. Initial document requests and interrogatories		N/A	
3. All fact discovery to be completed (including disclosure of medical records)			11/7/2025
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			11/7/2025

5. Expert discovery (only if needed)		<i>Check here if not applicable</i> <input type="checkbox"/>	
Plaintiff expert proposed field(s) of expertise:		Pain Management, Acupuncture, Chiropractic, Neurology, Radiology, and DME/Orthotics	
Defendant expert proposed field(s) of expertise:		Pain Management, Acupuncture, Chiropractic, Neurology, Radiology, DME/Orthotics, medical billing practices, general medical treatment practices.	
	DONE	NOT APPLICABLE	DATE
a. Affirmative expert reports due			12/12/2025
b. Rebuttal expert reports due			1/31/2026
c. Depositions of experts to be completed			4/3/2026
6. Completion of ALL DISCOVERY (if different from C.3)			4/3/2026
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			4/13/2026
8. If any party seeks a dispositive motion , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			5/29/2026
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			5/29/2026
D. CONSENT TO MAGISTRATE JUDGE JURISDICTION			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. All parties consent to Magistrate Judge jurisdiction for trial?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY			
1. Motion for collective action certification in FLSA cases		N/A	
a. Response due		N/A	
b. Reply due		N/A	
2. Motion for Rule 23 class certification		N/A	
a. Response due		N/A	
b. Reply due		N/A	

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

Peggy Kuo

PEGGY KUO

United States Magistrate Judge

April 23, 2025

Date